



Docket: 61 CIP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JANJIC *ET AL.* )  
SERIAL NO: 08/897,351 ) EXAMINER: ZITOMER, S.  
FILED: JULY 21, 1997 ) ART UNIT: 1807  
TITLE: VASCULAR )  
ENDOTHELIAL GROWTH )  
FACTOR (VEGF) )  
NUCLEIC ACID LIGAND )  
COMPLEXES )

*Duplicate of  
Paper  
#14  
\*With fee attached*

TERMINAL DISCLAIMER UNDER 37 CFR §1.321

*03-23-99*  
**RECEIVED**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

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**MAIL ROOM**  
**SERVICE CENTER**

NeXstar Pharmaceuticals, Inc., having a business address of 2860 Wilderness Place, Suite 200, Boulder, CO 80301, is the owner of the entire interest in the instant application, and hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior United States Patent No. 5,811,533, issued September 22, 1998. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and United States Patent No. 5,811,533, issued September 22, 1998, are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend beyond the expiration date of the full

37 CFR 1.8

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner of Patents, Washington, D.C. 20231 on *Dec 7, 1998*

Signature: *Tracy E. Crispino*  
Name: Tracy E. Crispino

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statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of United States Patent No. 5,811,533, as presently shortened by any terminal disclaimer, in the event that the foregoing United States Patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by re-examination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

The undersigned hereby authorizes the charge of the terminal disclaimer fee of \$110.00 or any deficiency of fees to be charged to Deposit Account No. 22-0277.

Respectfully submitted,

Date: December 7, 1998

Barry J. Swanson

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